

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:23-CV-00541-M-BM

WILBERT B. RIGGIN,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
ATF & RALEIGH POLICE)	
DEPARTMENT,)	
)	
Defendants.)	
)	

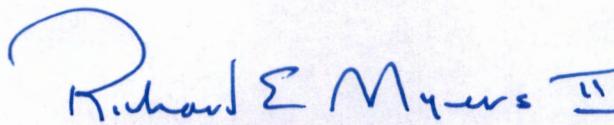
This matter comes before the court on the memorandum and recommendation (the “Recommendation”) entered by Magistrate Judge Brian S. Meyers in this case on July 18, 2024 [DE 19]. In the Recommendation, Judge Meyers recommends that the court grant Defendants’ motions to dismiss [DE 6; DE 8] and dismiss the Complaint [DE 1-1]. DE 19 at 2, 4, 6, 8-9. The Recommendation, along with instructions and a deadline for filing objections, was served on Plaintiff on July 18. *See id.* at 9. Plaintiff raised no objection to the Recommendation. *See Docket Entries dated July 18, 2024, to present.*

A magistrate judge’s recommendation carries no presumptive weight. The court “may accept, reject, or modify, in whole or in part, the . . . recommendation[] . . . receive further evidence or recommit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for “clear error” and need not give any explanation for adopting the recommendation. *Diamond v. Colonial*

Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

Upon careful review of the Recommendation and the record presented, and finding no clear error, the court ADOPTS the Recommendation [DE 19] of Judge Meyers as its own. For the reasons stated therein, the Defendants' motions to dismiss [DE 6; DE 8] are GRANTED and the Complaint [DE 1-1] is DISMISSED. The Clerk of Court is directed to close this case.

SO ORDERED this 6th day of August, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE